



July 17, 2022

Regional Freedom of Information Officer
United States Environmental Protection Agency
Region 2
290 Broadway, 26th Floor
New York, NY 10007

RE: FREEDOM OF INFORMATION ACT REQUEST

Dear FOIA Officer:

Pursuant to the provisions of the Freedom of Information Act (5 U.S.C. § 552) (FOIA), Taylor Research Group LLC (TRG) requests access to or copies of any and all documents, which are in the possession, custody, or control of the United States Environmental Protection Agency, Region II (EPA) pertaining to an EPA evaluation of material dredged by Brooklyn Union Gas Company (BUG).

According to Permit #8541 issued in 1972 by the United States Army Corps of Engineers (USACE), BUG was allowed to remove 25,000 cubic yards of material from Newtown Creek located adjacent to its site at 287 Maspeth Avenue, Brooklyn, NY 11211. The dredged material was to be deposited at an approved government dumping ground. Furthermore, according to a USACE disposition form, the EPA wrote a letter dated July 27, 1972, in which it stated it had no objection to the work or disposal of this dredged material into an approved government dumping ground, which was indicated as a disposal site in the Atlantic Ocean. Additionally, according to this same form, the EPA provided a laboratory evaluation of the dredged material.

Other agencies issued permits for this maintenance dredging, including the New York State Department of Environmental Conservation (NYSDEC) (Permit #224-72-003) and the New York City Department of Ports and Terminals (Permit #720047), which issued a "Notice of Completion" that indicated the dredging was completed on November 13, 1972.

Therefore, responsive materials may include correspondence between EPA, BUG, USACE, NYSDEC, and the Department of Ports and Terminals related to this maintenance dredging event; EPA documents related to its laboratory evaluation of the dredged material; and any additional related reports or materials about the dredging work such as subsequent permits issued, follow-up correspondence, etc. We request that you make these materials available for our review in a research room at your site and per your agency's current COVID-19 protocols. This approach allows TRG researchers to identify



a limited number of responsive documents to be copied, thereby reducing the amount of time required by agency officials to review and process documents for release and avoiding a time consuming item by item examination of the requested files by EPA. Please contact me concerning the feasibility of this arrangement in this instance. Alternatively, we would be happy to receive responsive documents electronically or via mail if a limited amount is identified.

To the extent that any relevant documents have exemptions, I request that you sanitize the documents for our review. If there are exempt documents that you will not release and/or sanitize, I request that you identify any and all such documents by listing date, author, recipient(s), page numbers, and subject matter. If any documents contain exemptions, please specify the exemptions claimed for each page or passage. In addition, please advise me of any destruction of records and include the date of and authority for such destruction.

TRG agrees to pay all reasonable and standard processing fees up to \$250. If the fees will exceed this amount, please call me with an estimate of the costs so that I can specifically request authorization for expenditures beyond \$250.

If you have any questions, please contact me at 412.626.0603 or e-mail me at rachelreilly@taylorresearchgroup.com.

Best Regards,

A handwritten signature in black ink, appearing to read "R. Reilly", is written over a light blue circular background element.

Rachel Reilly
Research Associate